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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,800	12/28/2001	Sudhindra P. Herle	2002.02.002.WT0	2037

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Docket Clerk
P.O. Drawer 800889
Dallas, TX 75380

EXAMINER

PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,800

Applicant(s)

HERLE ET AL.

Examiner

Ryan F Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16 have been examined.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7-12, 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al ("Walker", US 6,286,001).

As per independent claim 1, Walker discloses a wireless communication device (Column 8 lines 4-5) comprising: a main controller capable of executing a basic operating system application program that operates communication functions of said wireless communication device and that controls a first graphical user interface (GUI) for interacting with a user (Column 8 lines 34-40); and a memory coupled said main controller capable of storing first GUI configuration file and second GUI configuration file (Column 8 lines 56-57), wherein said first GUI configuration file contains first GUI parameter text names associated with images, text, menu options data comprising first plurality of least one of: sounds, graphical and menu hierarchy associated with said first graphical user interface (Column 13 lines 7-10; *pages in the authorized list*), and said second configuration file contains second GUI parameter data comprising second plurality of text names associated with at least one of: sounds, graphical images, text, menu options and a menu hierarchy associated with a second graphical user interface (Column 13 lines 7-10; *received page*), and wherein said main controller is operable to validate said second parameter data by comparing a first text name checksum value associated with said first GUI configuration a second text name checksum value associated with said second GUI configuration file (Column 13 lines 7-10).

As per claim 2, which is dependent on claim 1, Walker discloses a device wherein said main controller replaces at least a portion of said first GUI parameter data with said second GUI parameter data in response to a determination that said first and second text name checksum values are equal (Column 13 lines 10-13; *if they do match then page is displayed*).

As per claim 3, which is dependent on claim 2, Walker discloses a device wherein said first text name checksum value is calculated from said first plurality of text names (Column 13 lines 7-10).

As per claim 4, which is dependent on claim 3, Walker discloses a device wherein said second text name checksum value is calculated from said second plurality of text names (Column 13 lines 7-10).

As per claim 5, which is dependent on claim 2, Walker discloses a device wherein said first GUI configuration file is a system default GUI configuration file (Column 10 lines 46-53; *Web page first approved is then the default to which all updates are compared to*).

As per claim 7, which is dependent on claim 2, Walker discloses a device wherein said wireless communication device is a personal digital assistant (PDA) device (Column 8 lines 4-5; *Palm Pilot*).

Claim 8 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

Claim 9 is similar in scope to that of claim 2, and is therefore rejected under similar rationale.

Claim 10 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 11 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

Claim 12 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

Claim 14 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

As per independent claim 15, Walker discloses a graphical user interface (GUI) configuration file suitable for storing in a wireless communication device comprising main controller that controls a graphical user interface (GUI) for interacting with a user (Column 10 lines 46-53), said GUI configuration file containing 1) GUI parameter data comprising a plurality of text names associated with at least one of: sounds, graphical images, text, menu options and a menu hierarchy associated with said graphical user interface (Column 13 lines 7-10), and 2) a text name checksum value associated with said GUI configuration file (Column 13 lines 7-10).

As per claim 16, which is dependent on claim 15, Walker discloses a configuration file wherein said text name checksum value is calculated from said plurality of text names (Column 13 lines 7-10).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al ("Walker", US 6,286,001) in view of Frescenda ("Frescenda", US 6,466,937).

As per claim 6, which is dependent on claim 2, Walker fails to disclose said wireless communication device being a cellular telephone handset. However, Frescenda teaches a wireless device being a cellular telephone (Column 6 lines 6-11). Therefore it would have been obvious to an artisan at the time of the invention to combine the device of Walker with the teaching of Frescenda. Motivation to do so would have been that any well known wireless device could be used (Column 6 lines 6-11).

Claim 13 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US006633315B1 teaches an interface built on a predefined set of Interface elements associated with the context.
- US 20040039993A1 teaches validating text for an interface.
- US006031533A teaches updating configuration files.
- US006046740A teaches validating text.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Patent Examiner
Art Unit 2174

RFP


KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100